


Entered - 01/19/01 - sb
CL01L0039 - DIANNE C. MITCHELL

01-*R*-0195

CLAIM OF: DANIEL KOCCMAN
3201 Noble Creek Drive
Atlanta, Georgia 30327

For damages alleged to have been sustained as a result of vehicular damage due to a pothole on September 1, 2000 at McGinnis Ferry Road and Regal Forest Drive.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0039

Date: January 25, 2001

Claimant /Victim DANIEL KOCMAN

BY: (Atty)(Ins. Co.)

Address: 3201 Noble Creek Drive, Atlanta, Georgia 30327

Subrogation: Claim for Property damage \$ 538.57 Bodily Injury \$

Date of Notice: 12/28/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/01/00 Place: McGinnis Ferry Road and Regal Forest Drive

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that his vehicle was damaged when he drove into a pothole. The investigation determined that the area where the alleged event occurred is outside the Atlanta City limits. The claimant has been advised to contact Fulton County.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager:  Concur/date 01-25-01

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RECEIVED

DEC 28

RE: CLAIM FOR DAMAGES

Today's Date: 12/6/00

M. P. Hall
01/18/01
Dm

Dear Municipal Clerk:

ENTERED - 1-19-01 - SB
0110039 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 538.57 and/or \$ _____ bodily injury for which I contend the City is liable. property

1. Date of incident: 9/1/00 (month/day/year) 2. Time of Incident: 23:30 3. Police called: X Yes No
4. Location of incident (including street address): McGinnis Ferry Rd / Regal Forest Dr. (Intersection)
5. Name of your insurance company: Progressive Policy No. 31048274-0
6. State what and how incident occurred: I hit a pothole with my left front tire. The pothole bent my rim, blew out my tire, caused damage to frame rails, and steering. The police were contacted as 3 other cars sustained damage from the same pothole.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
Your vehicle: Honda Civic 95 628 RSP Daniel Kocman
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Officer Chris Van Meter NE Fulton County Police
(Name) (Address) (Telephone Number)
(Any of the other victims on the police report)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Daniel Kocman
Signature of Claimant

Daniel Kocman
(Print Claimant's Name)
3201 Noble Creek Dr
(Address)

Atlanta, GA 30327
(City, State and Zip Code)

678-777-8890 404-603-8890
(Work Number) (Home Number)

01- R-0195